IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 362 OF 2001

IN

SUMMONS FOR JUDGMENT NO. 1142 OF 2000

IN

SUMMARY SUIT NO. 748 OF 1998

Sourabh H. Bora ... Appellant
(Orig. Plaintiff)

Versus

Rinki S. Gandhi ... Respondent
(Orig. defendant)

Mr. C.M.Kothari for the appellant.

None for respondent.

CORAM: D.K.DESHMUKH &
J.H.BHATIA,JJ.

DATE : 4th September, 2007.

P.C.

1. This Appeal is preferred against the order by which the learned Single Judge has granted unconditional leave to defend in a summary suit. The appeal, in view of the Judgment of the Supreme Court in the case of **Shah**

Babulal Khimji vs. Jayaben D. Kania & Anr. reported in (1981) 4 SCC 8 is not maintainable.

The Appeal is disposed of.

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(D.K.DESHMUKH,J)

(J.H.BHATIA,J.)